REMARKS

Applicant requests favorable reconsideration and allowance of this application in view of the foregoing amendments and the following remarks.

Claims 1, 2, 5, 6, 8, and 10 are pending in this application, with Claims 1, 8 and 10 being independent.

Claims 3, 4, 7, 9 and 11-13 have been cancelled without prejudice. Claims 1, 2, 5, 6, 8, and 10 have been amended. Applicant submits that support for the amendments can be found in the original disclosure at least, for example, in the portions of the original disclosure corresponding to paragraphs [0026], [0030], and [0047] and step S105 in the published version of the application. Therefore, no new matter has been added.

Claims 12-13 were rejected under 35 U.S.C. § 101 because the claimed invention is not claimed as embodied in computer-readable media, and are therefore, considered to be descriptive material per se, based on MPEP 2106.01. Applicant submits that this rejection is moot since those claims have been cancelled.

Claims 1, 3, 8, 10 and 12 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Publication No. 2003/0223622 to Simon et al. Claim 2 was rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Publication No. 2003/0223622 to Simon et al. Claims 4-7, 9, 11 and 13 were rejected as being obvious over Simon et al. in view of U.S. Patent No. 7,233,357 to Ohkubo. Applicant respectfully traverses these rejections.

As recited in independent Claim 1, the present invention includes, *inter alia*, the features of (i) judging whether or not an area of a face region extracted from input image data is larger than a predetermined value, (ii) determining, in a case where it is judged that the area of the face region is larger than the predetermined value, whether or not to perform correction based on a first feature amount of input image data of the face region and a second feature amount of corrected image data of the face region, and (iii) correcting the input image data in a case where it is determined to perform the correction. The correction to the input image data is not performed in a case where it is judged that the area of the face region is smaller than the predetermined value and in a case where it is determined not to perform the correction based on the first and second feature amounts.

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These features allow for faster and more efficient processing. In particular, since the judging is performed before the determining, the determining need not be performed if the judging judges that the area of the face region is smaller than the predetermined value. Hence, since a processing load of the judging is smaller than a processing load of the determining, the larger processing load of the determining can be avoided if it is not necessary to perform the determining, and the overall processing is more efficient.

Applicant submits that the cited art fails to disclose or suggest at least the above-mentioned features of Claim 1. Simon et al. (US2003/0223622) discloses a technique involving the appearance of a face in an image based on facial feature points. However, that references does not disclose or suggest the judging and determining features of Claim 1, especially where the determining is performed in a case where the judging judges that an area of a face region is larger than a predetermined value. Accordingly, Applicant submits that the cited reference to Simon et al. does not disclose or suggest the present invention recited in Claim 1.

Ohkubo (USPN 7,233,357) discloses that storage of image data is controlled according to differences between plural evaluation values concerning photographing and a reference value (Fig. 7), but does not disclose and suggest such a method of appropriately judging whether or not to perform a correction based on a feature amount of image data of a face region, as in the present invention recited in Claim 1. Accordingly, Applicant submits that that reference fails to remedy the above-noted deficiencies of Simon et al.

Accordingly, it is believed that the present invention as recited in amended independent Claim 1 is patentable over Simon et al., Ohkubo and any possible combination thereof.
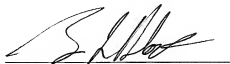
Independent Claims 8 and 10 recite features similar to those of Claim 1 discussed above and are patentable for reasons similar to Claim 1.

The dependent claims are patentable for at least the same reasons as the independent claims, as well as for the additional features they recite.

In view of the foregoing, Applicant submits that this application is in condition for allowance. Favorable reconsideration and an early Notice of Allowance are requested.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

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